



Republic of the Philippines  
Professional Regulation Commission  
Manila



BOARD FOR MARINE DECK OFFICERS

and

BOARD FOR MARINE ENGINEER OFFICERS

JOINT RESOLUTION NO. 2013-02

Series of 2013

EMSA COMPLIANCE ON CONFLICT OF INTEREST

**WHEREAS**, Republic Act No. 8544, enacted on February 24, 1998, provides that the Board of Marine Deck and Engineer Officers (Boards) shall exercise the power and duty to issue Certificates of Competency to marine officers in accordance with STCW standards.

**WHEREAS**, Republic Act No. 8981, enacted on 5 December 2000, provides that the Professional Regulation Commission (PRC) shall issue STCW Endorsement Certificates to marine officers pursuant to the STCW Convention.

**WHEREAS**, to give effect to the provisions of the foregoing laws the Boards administer the licensure examination for the issuance of license to successful examinees and the STCW Certificates of Competency to qualified and competent marine officers, while the PRC shall issue the STCW Endorsement Certificates pursuant to the standard and requirements of the STCW Convention consistent with the 2010 Manila Amendments.

**WHEREAS**, in the March 2012 audit, the European Maritime Safety Agency (EMSA) found that PRC has no independence of assessment with regard to the issuance of STCW Certificates, and suggested an additional statement/declaration of no conflict of interest with the applicant in the application signed by the assessor, and boxes to tick the answer to a query on whether the applicant is related to the Board Member/Assessor within the fourth degree of consanguinity or affinity, or the applicant is connected with the current or previous shipping/manning company of the Assessor for the last five (5) years.

**WHEREAS**, In the visit conducted last April 17, 2013, the EMSA Auditors were not satisfied with the action taken by the Boards requiring the applicants to declare any affiliation with any member of the Board. The EMSA Auditors said that the burden of proving independence should be put on the shoulders of the members of the Boards and not on the seafarers undergoing assessment. It was mentioned by the EMSA Auditors that the Boards should make a list of their current and previous employers shipping/manning companies as a reference to the applicants

**WHEREFORE**, for and in consideration of the foregoing premises, the Boards, **RESOLVE**, as it hereby **RESOLVED**, that it will submit to the STCW Division on or before May 10, 2013, a list of their current and previous employers shipping/manning companies indicating therein the period of employment, Maritime Educational Institutions where graduated and currently/previously employed, and Maritime Training Centers currently/previously employed.

**RESOLVED FURTHER**, that the said list shall be attached to the application forms for licensure examination and issuance of STCW Certificates for the information and guidance of the applicants.

This Resolution shall be published in the Official Gazette or in any newspaper of nationwide circulation and shall take effect immediately.

Let three (3) certified true copies of this Resolution be furnished the U.P. Law Center.

Done in the City of Manila, Philippines, this 25th day of April, 2013.

**BOARD FOR MARINE DECK OFFICERS**

  
**CAPT. JAIME D. AQUINO**  
Chairman

  
**IRENEO U. DELOS SANTOS**  
Member

  
**ROMEO C. ABUYUAN**  
Member

  
**MARSOLITO A. CRUZ**  
Member

**BOARD FOR MARINE ENGINEER OFFICERS**

  
**MIGUEL O. MARASIGAN**  
OIC, Vice-Chairman

  
**VICTORIANO A. ALOJADO**  
Member

  
**FERDINAND R. PASCUA**  
Member

  
**ELDEFONSO G. UBA**  
Member

ATTESTED BY:

  
**ATTY. ARISTOGERSON T. GESMUNDO**  
Assistant Commissioner

DATE OF PUBLICATION IN THE  
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DATE OF EFFECTIVITY : 9-11-13

APPROVED BY:

  
**TERESITA R. MANZALA**  
Chairperson

**ALFREDO Y. PO**  
Commissioner

  
**JENNIFER JARDIN-MANALILI**  
Commissioner